

NOT FOR PUBLICATION (For Upload)

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

TERRI POLAK, MARIE REGIS, HECTOR
RIOS, CATHERINE ALEXANDER, JEAN
ALTAGRACIA ALANO, GLORIA TAYLOR,
ROLAND JOHN, ARNOLD LEWIS, ENRIQUE
PEREZ, IRIS MARTINEZ, and EMMANUELA
CHARLES,

Civ. No. 2001-01

Plaintiffs,

v.

ANDREW RUTNIK, Commissioner of
Licensing and Consumer Affairs; IRA
HOBSON, Commissioner of Housing,
Parks, and Recreation; FRANZ
CHRISTIAN, Commissioner Police
Department; CHARLES TURNBULL,
Governor of the Virgin Islands, and
THE UNITED STATES OF AMERICA

Defendants.

ATTORNEYS:

Kent Rogers, Esq.
St. Thomas, U.S.V.I.
For the plaintiffs,

Iver Stridiron, Esq.
St. Thomas, U.S.V.I.
For the defendants.

ORDER

On January 3, 2001, the above-captioned plaintiffs in the
filed a complaint seeking a temporary restraining order,
preliminary injunction, permanent injunction, and declaratory
relief. The plaintiffs are Virgin Islands residents who operate

as itinerant vendors in the parking area opposite the Drake Seat site. In this action, they allege that the defendants conspired to wrongfully evict the plaintiffs from the Drake Seat site in violation of the plaintiffs' constitutional rights as protected by the First and Fourteenth Amendments.

In light of the existing preliminary injunction entered in Civil No. 1985-280 on September 17, 1985, *nunc pro tunc* to July 25, 1985, "barring the Department of Conservation and Cultural Affairs from denying the plaintiffs the right to conduct their businesses at the location across from the Drake Seat site pursuant to valid permits issued to them by the Department of Public Safety" (see Order Granting Prelim. Injunct. at 3), it is hereby

ORDERED that the motion for a temporary restraining order is **DENIED** as moot. It is further

ORDERED that the requirements of LRCi 7.1, which requires that a motion, opposition, and reply be filed with the Court at the same time, are waived. The defendants shall file with the Court and serve on the plaintiffs any responsive pleadings raising jurisdictional or other matters allowed under FED. R. CIV. P. 12 or any motions seeking to add necessary parties pursuant to FED. R. CIV. P. 19 by 12:00 noon on Wednesday, January 10, 2001. The plaintiffs shall have until 10:00 a.m. on Friday,

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January 12, 2001 to file with the Court and serve on the
defendants any reply and/or response.

ENTERED this 5th day of January, 2001.

FOR THE COURT:

Thomas K. Moore
District Judge

ATTEST:
WILFREDO MORALES
Clerk of the Court

By: _____
Deputy Clerk

Copies to:

Honorable Geoffrey W. Barnard
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